

February 21, 2024

Hon. Magistrate Parker
United State District Court, S.D.N.Y.
500 Pearl Street
Courtroom 17D
New York, NY 10007

RE: Delgado v. Donald J. Trump for President, et. al., 19-cv-11764 (AT) (KHP) – request for extension of time for service on third-party witness, Brad Parscale

VIA: electronic submission through *pro-se* intake unit

Your Honor,

I am the *pro-se* Plaintiff in the above-mentioned matter, referred to herein as the “Plaintiff” or in first person. I write to request an enlargement of time to effectuate service on Mr. Brad Parscale, a third-party witness, for deposition.

I conferred with Defendants’ counsel earlier today on this topic, and he has no objection.

Per my most recent letter to the Court, on February 13, 2024, I explained therein that I had yet to receive the issued subpoenas (for Eric Trump and Brad Parscale) from the Clerk of Court, which were mailed to me on February 6th. [As I noted therein, although I moved swiftly following Your Honor’s January 31, 2024 Order, I must first: submit the subpoenas to the Intake Unit; the Intake Unit then submits the subpoenas to the Clerk for approval and issuance; and the subpoenas are then mailed to me.] The subpoenas did not arrive until February 14th.

I moved as quickly as possible and immediately secured a process server.

Mr. Eric Trump was served on February 15th (I filed the affidavit of service into the docket). (Mr. Trump likely communicated to his longtime friend, Mr. Parscale, that he had been served and that service was imminent on Mr. Parscale.)

Any extension needed to serve Eric Trump is now moot.

As for Mr. Parscale, two service attempts were made, at two of his addresses, in Florida and Texas. (Both affidavits are filed.) The Florida home was found vacant and undergoing demolition. On February 20, 2024, the process server arrived at Mr. Parscale’s Midland, TX home. Mr. Parscale’s wife was present at the residence. She claimed that Mr. Parscale was “**out of the country**.” (This seems unlikely, however, as Mr. Parscale has no known business/operations outside of the country.)

It appears Mr. Parscale may be willfully evading service. (Mr. Parscale is an ally of the Trump Campaign; a current vendor to it; earned a reported \$40 million from the Campaign since 2016; and continues to earn significant sums from the Campaign. Clearly, he does not wish to provide any testimony that could be helpful to the Plaintiff or harmful to the Defendant.)

I thus respectfully request an extension, as there is good cause for such.

First, I request an extension because I experienced significant delay due to my *pro-se* status, as noted; *and*

Second, I request an extension because Mr. Parscale appears to be evading service, relying on the service-by-February-22nd-deadline, and such gamesmanship should not be rewarded by this Court. I ask that the Court also consider:

- Mr. Parscale is *aware* that his testimony is sought. (This is not a matter of someone has not been located and remains unaware.) Mr. Parscale has been aware since at least July 2023.
- Mr. Parscale even has an attorney, **Mr. Stanley Woodward, representing him in this matter** (i.e., representing Mr. Parscale as a third-party witness, presumably to represent Mr. Parscale at the deposition).¹
- In mid-July 2023, Mr. Woodward proactively reached out to my then-counsel, John Phillips, acknowledging my interest in deposing Mr. Parscale and indicating he would schedule same. (*See* attached correspondence).
- Indeed, on July 19, 2023, Mr. Woodward and Mr. Phillips had a conversation, requested by Mr. Woodward, about the deposition, in which Mr. Woodward stated Mr. Parscale was happy to testify on at least one issue and, moreover, suggested perhaps an affidavit would be best, in lieu of a deposition.
- One month later, when I was *pro-se*, I followed up with Mr. Woodward, on September 11, 2023. Mr. Woodward's response to a *pro-se* litigant (versus my prior attorney) was now markedly different, refusing to discuss and stating that, instead, once I had retained new counsel, he and said counsel could 'discuss next steps' about Mr. Parscale's deposition (writing, "**I think it makes sense for us to wait to discuss next steps once counsel is in place.**") I politely responded that this was inappropriate, noting a *pro-se* litigant is entitled to same respect as a represented litigant. He did not respond.

¹ Mr. Woodward represents various Trump World figures, e.g., Peter Navarro, Walt Nauta, and a January 6th participant. Much of his work is **funded by the Trump "Save America" PAC**, the PAC known for spending millions on covering Trump figures' legal fees and **the same PAC that has paid millions to the 30(b)(6) witness identified in this case**. Since March of last year, i.e., in less than one year, Mr. Woodward's firm has received approximately \$500,000 from the PAC. It is unclear if Mr. Parscale is paying for Mr. Woodward's services herein, or if the PAC is, but this is relevant on various grounds.

- On January 30, 2024, I asked Mr. Woodward if he still represented Mr. Parscale and, if so, if he would accept service on Mr. Parscale's behalf. Mr. Woodward responded only to say he still represented Mr. Parscale but would not accept service on his behalf. Mr. Parscale then opted to evade service.
- It appears that Mr. Parscale and Mr. Woodward (a member of this Court's bar) have one posture when I am represented by counsel and another when I am a *pro-se* litigant.
- Yesterday, on February 21, 2024, in the interests of judicial economy prior to filing any extension-request, I again reached out to Mr. Woodward, asking if he would now accept service on his client's behalf (given his client's alleged travel out of the country). I asked that he please respond by 1 pm EST, so that I could avoid this extension-request. Mr. Woodward did not respond, at all. This is yet another reason why I believe that a (substantial) extension should be provided: I ask this Court to send a message that *pro-se* litigants, provided they behave in a cordial manner, should be granted the same level of cooperation and respect as represented litigants.

I respectfully request an enlargement of/extension of time to effectuate service on Mr. Parscale, both due to the delays experienced as a *pro-se* litigant obtaining issuance of a subpoena but also due to an apparently willful evasion of process (particularly one where an attorney on the individual's behalf has made himself known, acknowledged the sought-deposition, and has engaged in outreach regarding same). I respectfully request that I be permitted until March 30, 2024 to effectuate service on (the elusive) Mr. Parscale.

I thank you Your Honor for your time and consideration.

Respectfully submitted,
s/Arlene Delgado
Arlene Delgado, Plaintiff, *Pro-Se*

From: stanley@brandwoodwardlaw.com
To: [Catherine Halsema](mailto:Catherine.Halsema@floridajustice.com)
Cc: [Amy Hanna](mailto:Amy.Hanna@floridajustice.com); [John Phillips](mailto:John.Phillips@floridajustice.com)
Subject: RE: AJ Delgado vs DJT for President, et al
Date: Thursday, July 13, 2023 9:47:34 AM
Attachments: [image001.png](#)

He can call my cell – please send a calendar.

Brand | Woodward

www.brandwoodwardlaw.com

+1.202.996.7447 (o)
+1.202.302.7049 (m)
+1.202.996.0113 (f)

From: Catherine Halsema <catherine@floridajustice.com>
Sent: Thursday, July 13, 2023 9:05 AM
To: stanley@brandwoodwardlaw.com
Cc: Amy Hanna <amy@floridajustice.com>; John Phillips <jmp@floridajustice.com>
Subject: AJ Delgado vs DJT for President, et al

Good morning,

Mr. Phillips is available for a call on Tuesday afternoon and anytime on Wednesday of next week. Will either of these work on your calendar?

Thank you,

Catherine Halsema, Paralegal

Phillips, Hunt, Walker & Hanna
212 North Laura Street
Jacksonville, FL 32202
Office Telephone: (904) 444-4444
Email: catherine@floridajustice.com
Web: www.floridajustice.com



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From: stanley@brandwoodwardlaw.com <stanley@brandwoodwardlaw.com>
Sent: Wednesday, July 12, 2023 6:08 PM
To: Catherine Halsema <catherine@floridajustice.com>
Cc: Amy Hanna <amy@floridajustice.com>
Subject: RE: AJ Delgado vs DJT for President, et al

Catherine – I’m sorry I missed your call, I’m in trial this week.

I’m also not available on August 16 or 17, I’ll be on vacation. Before we fight over scheduling, however, it might make sense for us to discuss what I anticipate would be the substance of Mr. Parscale’s testimony as a deposition may not be necessary. Would connecting early next week work for you all?

Thanks,

Stanley

From: Catherine Halsema <catherine@floridajustice.com>
Sent: Wednesday, July 12, 2023 10:30 AM
To: Stanley Woodward <stanley@brandwoodwardlaw.com>
Cc: Amy Hanna <amy@floridajustice.com>
Subject: AJ Delgado vs DJT for President, et al

Good morning,

Thank you for responding. I will let Ms. Delgado know that Mr. Parscale is represented and to stop contacting him directly today.

The case is Arlene Delgado vs. Donald J. Trump for President, et al. The case number is 19-cv-11764 in the Southern District of New York. Mr. Parscale is not a party in this matter.

I understand you are not available on August 10. We are under court order to complete all non-party depositions by September 15, 2023. The parties were also ordered to block off mutually convenient dates for the non-party depositions. August 10, August 16 and August 17 are three of those dates.

Please let me know which of these will work on your calendar.

Thank you,

Catherine Halsema, Paralegal

Phillips, Hunt, Walker & Hanna
212 North Laura Street
Jacksonville, FL 32202
Office Telephone: (904) 444-4444
Email: catherine@floridajustice.com
Web: www.floridajustice.com



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From: Stanley Woodward <stanley@brandwoodwardlaw.com>
Sent: Tuesday, July 11, 2023 9:45 PM
To: Catherine Halsema <catherine@floridajustice.com>
Cc: Amy Hanna <amy@floridajustice.com>
Subject: Re: AJ Delgado vs DJT for President, et al

Catherine - thanks for reaching out. I understand your client has attempted to contact my client directly, please do direct all future correspondence to me.

Could you please send me the pertinent pleadings in this case?

Without agreeing to accept service of an otherwise lawful subpoena, I can tell you that I am not personally available on August 10.

Thanks,

Stanley

Sent from my iPhone

Brand | Woodward

www.brandwoodwardlaw.com

[+1.202.996.7447](tel:+1.202.996.7447) (o)

[+1.202.302.7049](tel:+1.202.302.7049) (m)

[+1.202.996.0113](tel:+1.202.996.0113) (f)

On Jul 11, 2023, at 4:38 PM, Catherine Halsema <catherine@floridajustice.com> wrote:

Good afternoon Mr. Woodward,

I was given your contact information by Brad Parscale. My name is Catherine and I am a paralegal for John Phillips. Mr. Phillips represents Ms. Delgado in her claim against Donald J. Trump for President, Sean Spicer, Reince Priebus and Stephen Bannon.

We are in the process of coordinating Mr. Parscale's deposition and I would like to pick a time and date that are convenient for him. We are currently holding August 10, 2023, at 10am, EST for the deposition. The deposition will be conducted via Zoom for all parties. Would you please let me know if this date and time work for Mr. Parscale?

Please feel free to contact me by email or telephone with any questions. My office number is (904) 444-4444. My direct line is (904) 302-2710.

Thank you,

Catherine Halsema, Paralegal

Phillips, Hunt, Walker & Hanna

212 North Laura Street

Jacksonville, FL 32202

Office Telephone: (904) 444-4444

Email: catherine@floridajustice.com

Web: www.floridajustice.com

